(e) the image acquisition device discontinuing storage of the image data corresponding to the first object in response to the image acquisition device detecting the absence of the first object.

The Perry reference relates to a method for inspecting and sorting agricultural products. Applicant has carefully reviewed the Perry reference and submits that the Perry reference does not teach or suggest the subject matter of the present claims. In fact, Applicant submits that the Perry reference teaches the prior art methodology described in the present application at page 2 lines 14-20.

More specifically, the Office Action relies on element 92 of Figure 5 of Perry as teaching the object detector. The Office Action states that "note the video cameras (50) are triggered by the object detector (92) (see column 5 lines 11-19)." Applicant has reviewed the cited portion of Perry at column 5 and respectfully disagrees with the characterization in the Office Action. This cited portion of Perry states

"At the rate of approximately once per millisecond, the video cameras are simultaneously triggered by a signal from a spaced sensor (92), such as a shaft encoder, which senses the speed of the input conveyor (14). The triggering is such that the belt travels a fixed distance between scan lines. When a set of scan lines has been received, the software component will process the input data to determine whether there is an object in the field of view for this set ..."

Thus, element 92 in the Perry reference is not an object detector at all. Rather, as stated at the Perry reference at column 5 lines 17-18, element 92 is a "space sensor" which senses the speed of the input conveyor 14. Thus, element 92 senses the speed of the input conveyor 14, and does not detect the presence of an object.

Further, the above quote clearly states that a software program processes the received data to "determine whether there is an object in the field of view for this set." Thus, in Perry a large amount of image data is captured and stored, and a host software program is required to detect the presence of the object within this captured image data. This differs from the method and system in the present claims, whereby the image acquisition device initiates storage of image data "in response to the image acquisition device detecting the presence of the first object" and discontinues storage "in response to the image acquisition device detecting the absence of the first object".

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Thus, in the system of the present application, the image acquisition device detects presence and absence of the object, and operates to store image data after presence of the object is detected, and discontinues storage when the absence of the object is detected. In the Perry system, the video acquisition system captures and stores a large amount of image data, and host software is required to analyze this data to determine whether an object is present.

Thus, Perry does not teach or suggest a device that detects a presence of a first object and/or an absence of the first object. Perry also does not teach "the image acquisition device initiating storage of the image data corresponding to the first object in response to the image acquisition device detecting the presence of the first object". Further, Perry does not teach "the image acquisition device discontinuing storage of the image data corresponding to the first object in response to the image acquisition device detecting the absence of the first object." Applicant submits that the Perry system actually teaches away from the present claims.

Thus, Applicant submits that independent claims 1, 16, and 18, and those dependent thereon, are allowable over the cited references.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-36800/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Request for Approval of Drawing Changes

☐ Notice of Change of Address

☐ Check in the amount of $ for fees (   ).

☐ Other:

Respectfully submitted,
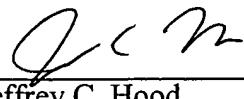
Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
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